

73
sdas
allow

CRM(DB) No. 2724 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baguiati Police Station Case No. 56 of 2023 dated 01.02.2023 under Sections 354D/506 of the Indian Penal Code and Section 4 of the POCSO Act.

In Re : Prosenjit Roy

And
..... petitioner

Mr. Kamlesh Jha
Ms. Srabani Biswas
....for the petitioner

Mr. Avishek Sinha
..... for the State

Mr. Supratim Basu
..... for the victim girl

Heard the learned Counsel for the parties.

We have considered the materials on record. Though victim is a girl there was a love affair between two young persons. Keeping in mind period of detention suffered by the petitioner i.e. 161 days we are inclined to grant bail to him.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special (POCSO) Court, Barasat, North 24-Parganas, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)